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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/769,765	01/26/2001	Shunpei Yamazaki	12732-008001	7392

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EXAMINER

SCHILLINGER, LAURA M

ART UNIT	PAPER NUMBER
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2813

DATE MAILED: 03/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/769,765

Applicant(s)

YAMAZAKI ET AL.

Examiner

Laura M Schillinger

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 17-24 and 48-75 is/are pending in the application.
- 4a) Of the above claim(s) 48-75 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 17-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6,8-9.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Election/Restrictions*

Newly submitted claims 48-75 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

This application contains claims directed to the following patentably distinct species of the claimed invention:

Species 1 claims 48-54 requires a second insulating film covering the second electrode;

Species 2, claims 55-61 does not require a second semiconductor layer nor a second electrode with overlapping structures;

Species 3, claims 62-68 requires a gate wiring connected to a gate electrode;

Species 4, claim 69-75 requires a gate electrode overlapping the first semiconductor film.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 48-75 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

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### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an

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international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 17-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Nakazawa et al ('877).

In reference to claims 17, Nakazawa teaches a device comprising:

A first semiconductor layer and a second semiconductor layer on an insulating substrate (Fig.7A-E(107 and 108a));

A first insulating film on the first semiconductor layer and on the second semiconductor layer (Fig.7A-7E (109))

A first electrode on the first insulating film, overlapping the second semiconductor layer (Fig.6E (114 and 115))

A source wiring on the first insulating film (Fig.13 (253-256));

A second insulating film covering the first electrode and source wiring (Fig.13 (252,261-262));

A gate wiring on the second insulating film, connected to the first electrode (Fig.13 (249-250));

A connection electrode on the second insulating film, connected to the source wiring and the first semiconductor layer (Fig.13 (260) and

A pixel electrode on the second insulating film, connected to the first semiconductor layer (Fig.13 (263));

Wherein at least on end of the pixel electrode (263) overlays the source wiring (253 or 256) with the second insulating film (252,261-262) interposed therebetween ( Fig.13).

In reference to claim 18, Nakazawa teaches wherein the first electrode is a gate electrode (Fig.7A (116,117)).

In reference to claim 19, Nakazawa teaches wherein a storage capacitor is formed by a second semiconductor layer, the second electrode, and the first insulating layer (Col. 23, lines: 20-25).

In reference to claim 20, Nakazawa teaches wherein:

The first semiconductor layer contains an impurity element which imparts one conductivity into the semiconductor (Col.19, lines: 44-65); and

The second semiconductor layer contains an impurity element which imparts one conductivity, opposite to that contained in the first semiconductor layer, into the semiconductor (Col.19, lines: 44-65).

In reference to claim 21, Nakazawa teaches wherein the gate wiring comprising an element selected from the group consisting of polysilicon doped with an element which imparts one conductivity Al as its main constituent and a lamination film of the elements (Col.20, lines: 40-60).

In reference to claim 22, Nakazawa teaches wherein the second insulating film is composed of a first insulating layer having Si as its main constituent, and a second insulating layer comprising an organic resin material (Col.13, lines: 55-65)

In reference to claim 23, Nakazawa teaches wherein the device is a reflecting type LCD (Col.21, lines: 35-40).

In reference to claim 24, Nakazawa teaches wherein the semiconductor device is a device selected from the group of: personal computer (Col.29, lines:25-30).

***Conclusion***

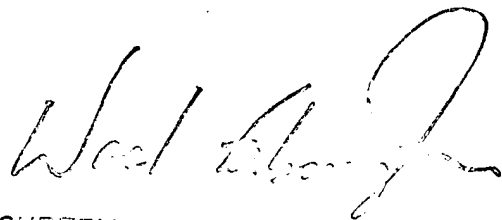
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura M Schillinger whose telephone number is (703) 308-6425.

The examiner can normally be reached on M-T, R-F 7:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl W Whitehead, Jr. can be reached on (703) 308-4940. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

LMS  
March 18, 2003

  
SUPERVISORY PRIMARY EXAMINER  
TECHNOLOGY CENTER 2300